IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.630 OF 2007

Pradeep Narottamdas Harsora ...Applicant.

Versus

The State of Maharashtra
and 2 Ors. ...Respondents.

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Mr.Prakash Naik, Adv. for Applicant.
Mr.D.P.Adsule, APP, for State.
Ms.Nita Solanki, Adv. for Intervenor.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 6th March, 2007.

P.C.:

1. Heard the learned Advocate for the applicant, the learned APP for the State and the learned Advocate for the original complainant.

2. The applicant is seeking quashing of Chapter Case Proceeding No.9/2007/Court Case No.9/2007, which is pending before respondent No.2 the Special Executive Magistrate, Gaodevi Division, Mumbai.

3. As the applicant has only been issued show

cause notice in the said case, I am not inclined to quash the said proceedings. Needless to say that respondent No.2 Special Executive Magistrate before passing any final order shall give an opportunity to the applicant and consider the evidence led by the applicant by way of oral evidence, producing documents or by way of examining witnesses, if any. Thereafter, the learned Special Executive Magistrate after hearing necessary parties shall pass appropriate orders in accordance with law. However, in case the applicant is called upon to furnish bond or surety, five days time be given to the applicant to furnish bond or surety.

4. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)